20

Previous references.

1905.6

(Forest)

File No. 100

Serial Nos. 1604

Later references.

H 65-11

102

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1604

Part B. for May 06.

SUBJECT.

Removal of Sandal trees in the Barguai Estate belonging to Messrs Graham Anderson and Robert Anderson.

G. R. S. 11] 1905.

GENERAL AND REVENUE SECRETARIAT.

(Forest.)

NOTES.

File No. 100

FILE HEADING.

Removal of Sandal trees in the Bargnai estate of Messrs. Graham Anderson and Robert Anderson.

From

The Conservator of Forests in Mysore

No. 3342 Dated 25-10-05 Received 26-10-05.

Diary No. 4184	Enclos. 7	Spare Copies. -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits for orders correspondence regarding the removal of 25 Sandal trees on Stone land in the Bargnai estate; States that their removal would cause much loss and form a very inconvenient precedent and requests that orders may be passed for his guidance in disposing of such applications.

NOTES AND ORDERS.

~~The question of granting ashrigatis to~~ ~~the forest holders to a percentage of sandal~~ ~~trees.~~ The general question relating to the sandal trees in occupied lands was under the consideration of

NOTES—First sheet.

MGCPB—30,000—17 2-05.

G.R.S. 12]
General and Revenue Secretariat.

File No. 100 of 190 5

Serial No.

ss 72 & 73 of the Forest Regulation all lands & land therefore are subject to the reservation of this right & persons not therefore bound to forego their rights in favour of cultivation or any other purpose for which the land is obtained. The concession referred to by the Conservator in his letter is a special one & does not obviously apply to the case in question. Calling upon the proprietors to pay the value which the trees will ultimately fetch if allowed to arrive at maturity is no doubt in consonance with the peculiar nature of the sandalwood monopoly but will be objected to as increasing the difficulties of cultivators. But it can be defended on the same principles upon which it has been decided not to recognize any right in the part of the cultivators to participate in the benefits arising from the growth of such trees by giving them a share of the value realized. Rules similar to those

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NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 100 of 1905

Serial No.

trees in cultivated fields... occurs oftener than [illegible] of their standing in the forest. The rule must in my opinion be reversed I mean rule 2 on page 127 of the Forest Manual. I would like to have a sketch of the ground on which the trees in question stand & then [illegible] forward

13.XI.05

Call for a sketch
15/11/1905
Subordinate Staff
15/11/05
Passed
15/11/05

2 To the Conservator of Forests, No. R. 5909 dated 16th November 1905.

Calls for a sketch of the ground on which the Sandal trees in question stand showing the position of the trees.

3 From the Conservator of Forests, No. 8499 dated 7th May 1906.

Forwards a sketch in triplicate of Mr. Graham Anderson's memo dated 4th April 1906,

NOTE—Contn. sheet

MGCPB—50,000—17-2-05

Serial No.

states that Mr. Anderson's complaint that the existing rule which makes the occupant of the land responsible for the preservation of sandal trees growing on it is bad in law & causes undue hardship, has been carefully considered and that it has been decided not to make any change in it

The sketch has been obtained as directed by the late Dewan. It shows the position of the sandal trees to be uprooted in Mr Anderson's Bargai Estate. The question for consideration is whether Mr Anderson may be permitted to remove the trees in question.

Submitted for orders
CS
9.5.06.

The Mr Anderson's memo which is sent with the Conservator's letter shows that at present there is no necessity to remove the sandal plants. The coffee nursery has already been formed and the removal of the sandal plants cannot be effected without damage to the coffee plants. After the latter are planted there

MGCPB—50,000— 24-7-05

Serial No.

will be still less necessity to remove them. Mr Anderson now wants to make this case as a key upon which the question of the injustice of making land holders ~~are~~ liable for the preservation of sandal trees without giving them any facilities for their removal when their existence hinders cultivation and also ~~to~~ allowing them to derive some benefit of the growth of such trees on their lands. This point is separately being considered. The letter may therefore be recorded with the observation that as the nursery has already been made and the sandal plants are in no way injurious to the coffee seedlings and cannot be removed without injuring them no permission is required now. As regards the general question it is under consideration of Govt

Vide Dele No. 2 of 06 which is in Council

for a draft

9/5/06

NOTE—Contn. sheet

MGCPB—50,000— 24-7-05

H.2160-05

Srno. 1.

4184 Rev

Rev. Forests.]

OFFICE OF THE CONSERVATOR OF FORESTS IN MYSORE,

Dated Bangalore, 25th October 1905.

No. 3342

Enclosures 7

From

RAI BAHADUR M. MUTHANNAH, Esq.,

Conservator of Forests in Mysore.

1 rule 26-10-05

To

B. K. Venkatavaradaiyan Esquire,
Secretary to the Government of
H. H. the Maharaja of Mysore,
General & Revenue Depts.

SIR,

I have the honour to forward herewith a docket from the District Forest Officer, Hassan, together with the connected papers in original regarding the removal of 25 Sandal trees on some land in the Bargaie Estate of Messrs Graham Anderson and Robert Anderson which

these gentlemen with a clear and long sight into a nursery and hope that the orders of Government may be obtained in the matter.

2. Government Order No: 412 dated 23rd September 1897 (vide page 107 of the Forest Manual) authorises the Conservator of Forests to permit the removal of sandal logs in hedges or cultivated fields, but the cases under reference does not fall within the scope of this order.

All the 25 trees, the removals of which is sought now, seem to be immature ones, with a great prospective value. Their removal now would, therefore, cause much loss and a clear would form a very inconvenient precedent.

The rules in force in

Valuation of Sandal trees.

× × × ×

No: 1200/1199 dated 2.8.1890.

I am directed to say that the Chief Commissioner approves the rates as a guide to valuation.

× × × ×

5. The values entered in the attached table would be recoverable in full in the event of trees being destroyed or containing no marketable produce. If any portion of the tree should be marketable an amount equal to the net market value should be deducted from the amounts as calculated. Also if the tree is decayed or otherwise not likely to survive to marketable age, a deduction should be allowed in consequence.

6. All trees falling between the dimensions given in the table should be valued at the rate fixed for the smallest tree of that class. All trees not seedlings of the year, falling below the lowest or 1st

Class of 3 inches girth to be charged
for at a uniform rate of 8 annas.

2. Statement showing discount
month of Sawan I. time of Settlement -
sizes & age between 4 & 14 years.

Class.	Girth of the tree in annas.	Inches.	Discount per month	Remarks.
1	3"	4	3 2 0	
2	6"	8	3 10 0	
3	9"	12	4 3 0	
4	12"	16	1 13 8	
5	15"	20	10 0	
6	18"	24	6 4 0	
7	21"	28	4 6 0	
8	24"	32	8 6 4	
9	27"	36	9 11 8	
10	30"	40	11 4 4	
11	33"	44	12 8 0	
12	36"	48	14 0 0	
13	39"	52	16 1 0	
14	42"	56	17 8 0	
15	45"	60	19 0 0	
16	48"	64	20 0 0	

F. 7.100-05
81.no.3.

Rev. Forests] OFFICE OF THE CONSERVATOR OF FORESTS IN MYSORE,

No. 8499 *Dated Bangalore, 7th May 1906.*

Enclosures Two.

From

RAI BAHADUR M. MUTHANNAH, Esq.,
Conservator of Forests in Mysore.

10.030

To

B.K.Venkatavarada Iyengar .....Esq.,
Secretary to the Government of His Highness the Maharaja of Mysore,
General and Revenue Departments, Bangalore.

SIR,

With reference to your letter No.R.5909/Ft.100-05-2 dated the 16th November 1905, I have the honour to for-ward herewith, as therein desired, a sketch in original, with a copy of Mr.Graham Anderson's Memorandum dated the 4th April 1906 received with the Hassan District Forest Officer's docket No.345 dated the 15/16th instant.

2. As regards Mr.Anderson's complaint that the existing ~~law~~ rule which makes the occupants of the land responsible for the pre-servation of sandal trees growing on it is bad in law and causes undue hardship, I beg to remark that this question has been carefully considered by Government, and it has been de-cided not to make ~~any change as to~~ any change in it. If people take up lands containing sandal trees with the full knowledge of the responsibility devolving upon them, they can have no reason to complain about the illegality or harshness of the law.

3. Mr.

5. Mr.Anderson further states that the law provides that all sandal plants under 3' in height may be removed. This, I beg to state, is a wrong interpretation of Government order in the matter. Para 2 of Government order No.412 dated 22nd November 1870 states that the "Ryots will be at liberty to remove by the plough any sandal seedlings that spring up in fields under cultivation, provided they are yet but seedlings and less than a yard high". It is clear from this that no Kratedar has a right to remove young seedlings from lands not under cultivation.

I have the honour to be,

Sir,

Your most obedient servant,

Conservator of Forests.

G.R.S. 28]

File No. 100-05
Serial No. 4

Diary No. of letter replid to 10030

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Forest)

, the 190

Date of issue 14-5-06

Signed by

READ.— Letter No. 3342 dated the 25th October 1905 from the Conservator of Forests in Mysore, submitting for orders certain correspondence from the Asst Conservator of Forests Officer of Kassan regarding the removal of 25 Sandal trees from a portion of the Bargur coffee Estate belonging to Messrs Graham and Robert Anderson.

2 Letter No. 8499-9

ORDER THEREON. NO.

over

WS

SUBJECT

Records the Conservator's letter regarding the removal of 25 Sandal trees from the estate of Graham & Robert Anderson and observes that the Sandal plants are not now required to removed as the nursery for coffee plants has already been formed and the Sandal plants are in no way injurious to the coffee seedlings.

MGCPB—20,000—24-2-05

14.2.11.5
KN

Rec'd 4th May 1916 from the Home
Office forwarding a Sketch
showing the position of the
Scandal Rocks proposed —
to be removed from the
Sketch in question

Order thereon d. 5/11/15

Recorded with
Correspondence filed on the
Proceedings which already have
formed part of the Scandal
Rocks inquiry in the early Summer
of the Coffin Island Case and
should be referred to should
inquiries there for permission
is required to remove the Rocks
The general question regarding
the Valuation of Scandal Rocks
in acquired Lands is
also under the Consideration
of Govt

[illegible]
Secretary
[illegible]